

107TH CONGRESS  
2D SESSION

# S. 1233

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## AN ACT

To provide penalties for certain unauthorized writing with  
respect to consumer products.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Product Packaging  
5       Protection Act of 2002”.

1 **SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

2 Section 1365 of title 18, United States Code, is  
3 amended—

4 (1) by redesignating subsections (f) and (g) as  
5 subsections (g) and (h), respectively; and

6 (2) by inserting after subsection (e) the fol-  
7 lowing:

8 “(f)(1) Whoever, without the consent of the manufac-  
9 turer, retailer, or distributor, intentionally tampers with  
10 a consumer product that is sold in interstate or foreign  
11 commerce by knowingly placing or inserting any writing  
12 in the consumer product, or in the container for the con-  
13 sumer product, before the sale of the consumer product  
14 to any consumer shall be fined under this title, imprisoned  
15 not more than 1 year, or both.

16 “(2) Notwithstanding the provisions of paragraph  
17 (1), if any person commits a violation of this subsection  
18 after a prior conviction under this section becomes final,  
19 such person shall be fined under this title, imprisoned for  
20 not more than 3 years, or both.

21 “(3) In this subsection, the term ‘writing’ means any  
22 form of representation or communication, including hand-

- 1 bills, notices, or advertising, that contain letters, words,
- 2 or pictorial representations.”.

Passed the Senate October 16, 2002.

Attest:

*Secretary.*

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